SEPTEMBER, 1784. THE NUMB. 2834.

PENNSYLVANIA GAZETTE.

WEDNESDAY, SEPTEMBER 29, 1784.

To GEORGE BRYAN, Eſquire, Cenſor General of Pennſylvania.

"We cannot ſerve two maſters." BIBLE.

TO find out your equal in politics or morality would be an idle taſk, even to as plodding a character as yourſelf. Devoted to it, as the ultimatum of your wiſhes, ſacrifices of health and time are daily made, and criminally too; for no man has that command over either in a religious view, but to be anſwerable for the proper uſe of them to his God, his country, and his family.

A *Truſtee* of theſe is of far more importance than the world commonly judge. They take things on their firſt appearance, without conſidering either their relatives or conſequences. But to a judicious obſerver, a proper uſe of them has every good attendant, whereas the abuſe of them the fulleſt ſhow and force of evil.

How theſe poſitions muſt apply to you through life, let me view ſome part of your conduct.

You have accepted an appointment of fourth Judge of the Supreme Court of this commonwealth, at the annual ſalary of £. 500. You have ſworn to adminiſter juſtice according to the law of the land. You have alſo ſolemnly engaged to attend the common duties of your charge.

A man who undertakes ſo important a truſt as is involved in this appointment, if he is honeſt, ſhould in his own mind previouſly determine, that he is adequate to the ſame, or, if deficient, that the whole powers of his intellectual ſyſtem ſhall be fully employed to remove the miſt from before his eyes---for in vain "ſhall ye riſe up early, and late take reſt," unleſs the intermediate time (allowing a few hours for the attention to your health and the common duties of domeſtic life) is taken up in diſcharge of thoſe public authorities in you inveſted for the good of the community. In theſe may be included profeſſional reading, which I am told you ſtudiouſly avoid. This will no doubt account for ſome miſtakes in your opinion from the bench. You once ſaid from thence, that the confeſſion of a man out of court was no evidence againſt him when at the bar. This important obſervation leaped from your mouth wide open at Lancaſter. It muſt be ſurpriſing, that a man, whoſe whole life has furniſhed caſes under the crown law, ſhould not know the common ſaying of 'confeſs and be hanged." Perhaps a deficiency of knowledge on this ſubject may be made up by your comprehenſive reading in the chancery books. You may have conſumed the midnight taper in poring over their pages. Even this may be otherwiſe, for you, who are ſure of ſufficient power to erect a Chancery Court, having alſo power to fix her for life in yourſelf, may eſtabliſh new points of deciſion. This will require not much reading. In England, you recollect, that the chancerySHIP is only during the King's pleaſure. But as you aim at regal power in Pennſylvania, the ſceptre in one hand, and the ſeals in the other, will have this powerful effect----(almoſt too good to be mentioned)---no appeals will lay from your decrees, and then, in a ſhort time, the whole property, real, perſonal and mixed, of this commonwealth will be under your illegal diſcuſſion and adjudication. Let the diſpaſſionate Pennſylvanian judge what a horrid ſituation this muſt be, that a man, without property himſelf, ſhould have it in his power at pleaſure, and without check, to decide upon the fate of that of others; to fix the ruin of any man who ſhould be ſo unfortunate as to come before him, provided he was not his friend. For from great things we may judge of ſmall. How bitterly have you, in your reſolution on the college bill, galled certain honeſt men, patrons of ſcience and of charity, for daring to hold up their hands againſt your accurſed meaſures. You have abuſed them. You have called them tories, men of monarchical principles. For what purpoſe this, but to eſtabliſh an act of your own, paſſed November 27, 1779, for deſtroying the college, &c. of this city. As one of the Houſe, you refuſed to have laid before them the evidence on which the report had been grounded, and from which this law originated. Let me make this remark. You were then upon oath. Is it an invaſion on the fairneſs of deduction to pronounce, that the man who would ſuppreſs teſtimony before the Houſe, judging upon a point of the utmoſt importance, would heſitate to diſmiſs it in a court of law. I think this is fair reaſoning; you muſt know it to be ſo. This reſolve in the Houſe on the ſuppreſſion of evidence, was ſomething like your opinion at Lancaſter, with only this difference---in the Houſe of Aſſembly, thro' the fraud and weakneſs of your accomplices, you carried your point; but on the bench, the Chief Juſtice and Mr. Atlee defeated your purpoſe. They admitted the evidence to be received, and the culprit was executed. Were you to ride the circuit alone, what niſi prius determinations ſhould we have? You may, (ſhould you not ſucceed to the ſeals) have influence to obtain for your friend Bailey the appointment of Law Printer to this ſtate. Then your deciſions may come out for public inſpection. What a treaſure the gentlemen of the long robe will have from your labours on the bench, full as much as the good people of Pennſylvania have had from your productions in the Council of Cenſors. As to your friend Bailey's integrity, and exactneſs in his profeſſion as a printer, the country will judge from this ſingle fact. In an act of Aſſembly of this commonwealth, paſſed March 8, 1780, entituled "An act for regulating and eſtabliſhing admiralty juriſdiction," in the 20th ſection of this law, *as printed* by Bailey from the roll, are theſe words---all traitors, felons and criminals, who ſhall offend upon the ſea, or within the admiralty juriſdiction, ſhall be enquired of, tried and judged by grand and petit juries, according to the courſe of the common law, in like manner as if the treaſon, felony or crime were committed within one of the counties of this ſtate. And the Juſtices of the Supreme Court, *and the Judge of the Admiralty, or any two of them*, are hereby conſtituted Juſtices of Oyer and Terminer, &c. &c." "By theſe words, *as printed*, any two Juſtices of the Supreme Court may hold an Admiralty Seſſions, without the preſence of the Judge of the Admiralty, contrary to every eſtabliſhment of that court. not only here, but in Europe. The words in the roll ſtand thus—the Juſtices of the Supreme Court, *or any two of them, and* the Judge of the Admiralty," ſhall form the above court. This gives power to any two Juſtices of the Supreme Court to ſit there, leſt, ſhould the whole be required, there might be a failure of juſtice. But *the Judge of the Admiralty* is a *neceſſary part* by this law, *as inrolled*, totally otherwiſe *as printed*. Convictions I am told have been had before Juſtices of the Supreme Court only, but no executions have taken place. I have mentioned this fact of the miſpreſſion of Mr. Bailey, and your knowing this to be as thus ſtated, to ſhow how your time is employed, and attention engaged, by throwing money into the coffers of ſuch tools, aſſociating with them as your boſom friends, and who would not ſtoop even to alter a law to give you a juriſdiction, in excluſion of the Judge of Admiralty, appointed by the direct words of the ſame, and in a court where, agreeable to eſtabliſhed precedents, not only here but in England, he muſt *neceſſarily preſide*. How muſt your time be employed for the good of your country in the duties of your profeſſion, by ſtriving to fix courts unknown to the law, and directly againſt its words, and graſping at power through the means of a devoted Printer, who, if to be perſuaded to do an act ſo highly criminal, would miſprint the ſtatutes of Heaven, and make its creed pliable to the proſtituted purpoſes of your infamous party. You who could, with aſſumed power, ſit in ſuch courts, and by the authority of a tranſpoſed ſentence, and convict, muſt not ſtartle at adding parentheſiſes and commas to the conſtitution. A man baſe enough to do this, would poiſon with the chalice in his hand!

You, in this law, have ſet under tranſpoſed ſentences and under a null authority; I mean the authority of Mr. Bailey. But, ſay you, judges are ſet to declare, *not make the law*—how then, ſay you, could I have found out this typographical fraud. I anſwer, from your attachment to this power unwarrantably exerciſed—your intimacy with Bailey—your acceſs to his preſs—your great memory, which I am told never fails you, and which had ground for recollection. For you were a member of the Houſe of Aſſembly when this law paſſed, viz. March 8, 1780. If the man, who could commit this fraud, has your protection, your friendſhip, your countenance, altho' you may not have met with caſes to convict him at the bar of the public for forgery, yet in the eyes of all honeſt men he muſt be ſet down as the proſtituted tool of power and of party. The Council of Cenſors have convicted this man of ſundry errors in the printed copy of the conſtitution. Were theſe errors by deſign or neglect? A free people may ſuffer ſorely from both; as a ſword in the hands of an aſſaſſin or a madman has the ſame violent effect upon the community. However, there may be ſome difference, the madman may be ſeized. He is bold, and does his miſchief in the open day. But murders upon murders may be committed by the other, and he in ſilence laugh at the victims of his relentleſs fury. A law may paſs out from the preſs with the ſanction of government, but at the ſame time, through deſign, in ſome parts, have the hand of an officer of juſtice, who had no ſhare in its formation. This muſt be truly alarming! I am told, for the benefit of the public, you are about writing the hiſtory of your own life, to be printed by Francis Bailey. There he may ſucceed. Your predilection to him may hide his faults, and the errors of your life may keep pace with the errata of his preſs.

I have made theſe obſervations to ſhow how your time is *engroſſed*; not in ſtoring up knowledge, but in forming party ſchemes, and ſacrificing conſcience to the emolument of your dependants. You receive a ſum of money from the public, as a truſtee of their ſacred rights. How you execute her truſts, your conduct will ſhow. You were ſituated, on Saturday, the 18th inſtant, like an aſs between two bundles of hay. The Supreme Court on one ſide, the Council of Cenſors on the other. "You hung between, in doubt to act or reſt." The Chief Juſtice calling you to the bench, the majority of the Cenſors preſſing you for ſupport. At laſt the latter prevailed; for although the Chief Juſtice ſent for you ſeveral times, yet you ſtuck cloſe to your friends, and the Supreme Court then broke up. You left it, after wriggling on its ſeat with the utmoſt impatience, like an old hen, till you had done a trifling act of office, and then came clucking into the Cenſors, to take your chickens under your wing. They had wandered in the abſence of the old bird, who ſoon *reanimated* them. For I am told by a gentleman, who remained there during this truly farſical ſcene, which your different appointments occaſioned, that they ſtood *motionleſs* till your arrival.

You have ſtrove hard to *imprint* upon the minds of the people your attachment to their liberties; that you revere their conſtitution as the bleſſed palladium to ſecure their freedom. I ſhall notwithſtanding your aſſurances, eſtabliſh the following facts, which I call upon you to deny. You have been frequently called upon, but, like Adam in the garden of Eden, after committing the foul fact, you have ſkulked behind the trees of the foreſt, and dare not face the light, "becauſe your deeds are evil." * George Roſs was a member of the Convention of 1776. You knocked him up at day light, ſat upon his bed, and reprobated the conſtitution, as it then ſtood in formation; without a ſecond branch, you told him it was a conſtitution of madneſs; that none but madmen or fools would paſs it; it would breed confuſion, and ſome day or other the liberties of this country would be loſt by it. You pray'd him for God's ſake to bring in a clauſe for a ſecond Branch. You were running up and down in the ſtreets, like a diſtempered bedlamite, complaining of the evil tendency of the conſtitution, ſhould not this clauſe be introduced. You ſaid the people ſhould, in their election for members of Aſſembly, be tied down to certain rules; that they ſhould have freeholds to ſuch an amount, or they would become like the *Pot-whallopers* (a word of your own) during the domination of the antient Lords and Barons of England, tools to power, and made uſe of to aid the purpoſes of aſpiring and daring men; but the above qualifications would be a check. You now ſay, men without money make the beſt ſubjects, and wealth endangers the liberties of the country. You have thus gone on in deceiving the world. They now know you. My advice to you is----- Attend to your appointment. "Mark, read, learn, and inwardly digeſt" the laws of God and man. Fly politics as you would a peſtilence, and purſue the road to Heaven, and I pray, from the bottom of my ſoul, the Supreme Director of the univerſe, the Searcher of all hearts, that your latter end may be crowned with peace

Sept 27, 1784. A CITIZEN OF PENNSYLVANIA.

* It is probable, as this gentleman is now dead, you may deny this fact. Should you do this, I will publiſh in my next the affidavits of two gentlemen, of undoubted veracity, of a ſimilar converſation.

To the PUBLIC.

THE encouragement, with which the ſubſcriber, as an Inſtructor of youth, has been favored, in Pennſylvania, enables him, now, to enlarge the plan of his Academy, by annexing to it a DANCING and a DRAWING SCHOOL; both of which will be opened on Thurſday the Firſt of October next.

The Dancing School will not interfere with the uſual hours of ſtudy in the Engliſh, French or Mathematical Schools; as the hours appropriated to Dancing, will be from eleven o'clock until one, for the young LADIES; and for the young GENTLEMEN, from five until eight. Every Saturday, from five until eight, will be devoted to practice, for both claſſes.

He is not without a due ſhare of gratitude towards his employers, who have ſo generouſly enabled him to eſtabliſh this Seminary, on its preſent reputable, uſeful, and liberal foundation; and on his part, no effort, for the real benefit of his pupils, ſhall be wanting, while he has the honor of preſiding over the inſtitution.

ANDREW BROWN.

Academy, Fourth-ſtreet, between Market and Cheſnut-ſtreets, 21ſt September, 1784.

Juſt Imported in the Commerce, and Harmony, from London, and now opening for SALE, by JOHN and JAMES OLDDEN, in Second-ſtreet, eight doors below the Market. A general ASSORTMENT of

MERCHANDIZE,

Calculated for the enſuing Seaſon, among which are,

A LARGE variety of plain and ornamental Mahogany framed Looking Glaſſes, of all ſizes; Wilton carpets of the moſt elegant figures and of every dimenſion; red and white lead in caſks, from 1 to 3 Ct. powder and ſhot; loaf ſugar; Barlow penknives; knives and forks; flannels; coatings; duffils and bearſkins; velverets and corduroys; durants; ſhalloons and damaſks; cambricks and lawns; pepper in bales; Jamaica ſugar in hogſheads; nutmegs; mace; hoſiery. 6. w.

Patrick Donworth, Land-Surveyor,

BEGS leave to acquaint the PUBLIC, That he teaches a SCHOOL near Colonel Buſh's houſe, at Cheſnut-Hill, in Germantown townſhip, where Youth are taught Mercantile Arithmetic, Book-keeping, Menſuration, Geometry, Trigonometry, plain and ſpherical, with their application to Mathematics, Surveying and Navigation with the greateſt accuracy.

Gentlemen or others who want land ſurveyed, plans drawn, or any other matter in the ſurveying line done, by leaving their directions for him as above, will be waited on by the public's moſt humble ſervant, PATRICK DONWORTH.

Cheſnut-Hill, Sept. 21, 1784. †

A SCHOOL,

KEPT by the ſubſcriber, in Third-ſtreet, the ſecond door from Walnut-ſtreet, nearly oppoſite Mr. Bell's book-ſtore, where Youth are taught the Engliſh Language according to Sheridan's Grammar Rules, Mercantile Arithmetic and Book-keeping according to Dowling's Syſtem, Geography, Euclid's Elements of Geometry explained, Trigonometry, plain and ſpherical, Algebra, both numerical and alphabetical, Navigation, Surveying, Fortification, Gunnery, &c. &c.

As the ſubſcriber has been ſeveral years employed in the tuition of youth, and can produce credentials for ability and conduct, he hopes for encouragement.

As the ſubſcriber was ſeveral years in the practical part of book-keeping, he would perfect young gentlemen in that uſeful ſcience, or ſettle partnerſhip accounts reaſonable.

An EVENING SCHOOL for young men will be kept from ſix to nine o'clock at ſaid place, by the public's moſt humble ſervant, † GEORGE FITZ GERALD.

To be SOLD, wholeſale or retail,

At a very low advance, the following INVOICE of excellent Engliſh CLOTHS, very proper for a country ſtore.

The goods may be ſeen at Mr. ROBERT AITKEN's book-ſtore, in Market-ſtreet, near the Coffee-houſe, viz.

		£	s	d
TWELVE and half yds. Bath beaver, at	6/6,	4	1	3
16 yards of velveret, at	4/6,	3	12	0
22 and half yards hunters cloth, at	6/6,	7	6	3
8 yards of ſecond cloth, grey, at	10/6,	4	4	0
11 ſilk handkerchiefs, at	3/6,	1	18	6
4 ditto, at	4/.	0	16	0
10 yards laſting, at	3/.	1	10	0
1 lappelled coat,		2	2	0
4 yards ſuperfine white cloth, at	14/.	2	16	0
25 and half yards cloth, pompadour, at	17/.	21	13	6
1 coverlid for a bed,		0	9	0
1 waiſtcoat,		0	9	0
22 dozen of buttons, at	1/.	1	2	0
17 pocket handkerchiefs, at	11d.	0	15	7
¶		£ 52	15	1

Philadelphia, September 23, 1784.

BY virtue of a writ of Venditioni Exponas to me directed, will be expoſed to SALE by Public Vendue, at the houſe of Joſeph Ruſh, in the Northern Liberties of the city of Philadelphia, on SATURDAY the 16th of October next, at four o'clock in the afternoon, a LOT or PIECE of GROUND, ſituate and being in the Northern Liberties, at the weſt end of Joſeph Harbeſon's 40 feet lot, on the weſt ſide of Front-ſtreet continued northwardly, at the diſtance of 100 feet weſtwardly from the weſt ſide of Front-ſtreet aforeſaid; bounded on the eaſt 40 feet by the weſt end of ſaid Joſeph Harbeſon's lot, on the ſouth 100 feet, by land now or late of James Eſtaugh, on the weſt 40 feet, by land of William Coates, ſenior, and on the north 100 feet, by land now or late of the aforeſaid William Coates, ſenior, being part of the real eſtate of William Small, ſubject to a yearly ground-rent for ever, of 13/4. Seized and taken in execution by THOMAS PROCTER, Sheriff.

Meſſrs. HALL & SELLERS,

BY a reſolve of the Council of Cenſors, the report of a committee, appointed to enquire, amongſt other matters, into the conduct of the legiſlative branch of government, has been ordered to be printed and diſperſed, together with copies of the conſtitution, throughout the ſtate. The minority, who had diſſented from the report in many inſtances, requeſted (as the profeſſed deſign of printing and diſperſing it was to give their conſtituents information) that their reaſons for differing in opinion from the majority, who had adopted it, might alſo be printed, and go along with it, in order that they might have full information, and not be blindly led to acquieſce in the many and important alterations of the conſtitution introduced into the report, which might happen, if they were not ſhewn both ſides of the queſtion. This reaſonable requeſt was, however, refuſed. As the report is very lengthy, I have ſelected the different ſections from which the minority diſſented, and requeſt you will be pleaſed to publiſh them in your next Gazette, together with the proteſts.

CANDOR.

We diſſent from the Report of the Committee, as adopted by the Council, generally,

BECAUSE, though there are ſome parts of it that meet our approbation, it is in a great meaſure made up of matters that were never ſubmitted to them, and totally foreign to the nature and deſign of their appointment. Their duty was plain and ſimple,—"to enquire, whether the conſtitution had been preſerved inviolate in every part, and whether the legiſlative and executive branches of government had aſſumed to themſelves, or exerciſed, other or greater powers than they are entitled to by the conſtitution." As this is a report in part only, and confined to the legiſlative branch, the journals of the Aſſembly and the laws fell properly under their notice, as it was from them only it could be diſcovered whether the legiſlative body had departed from their duty, or neglected the truſt repoſed in them. And had the committee contented themſelves with pointing out, and reprobating in the ſtrongeſt terms, the inſtances where theſe had happened, they would have met our hearty concurrence. But, when we ſee explanations of many parts of the conſtitution introduced, which we think inconſiſtent with the liberty and ſafety of the people, and a laboured commentary upon it foiſted into the report, it becomes a duty we owe to the people, to ourſelves, and to poſterity, thus ſolemnly to proteſt againſt it in the groſs, as big with miſchief in itſelf, and forming a moſt dangerous precedent. If committees are at liberty to introduce into their reports matters different from, and foreign to thoſe ſubmitted to them, public bodies may be ſurpriſed into a deciſion on the moſt important ſubjects unexpectedly, and unprepared for the diſcuſſion of them, or, as in the preſent caſe, into matters that do not at all belong to them. The greateſt part of the report, which has taken up ſo much of the time of Council, being the proper and excluſive buſineſs of a Convention.

This will fully appear from the obſervations we have made upon the ſeveral parts, which have received our negative. But in this place we cannot help obſerving, that, by the explanations given to various parts of the conſtitution, the ſyſtem of our government would be entirely changed, and the executive branch acquire ſuch an increaſe of power and influence, as to make it eaſy for them to eſtabliſh the moſt dreadful tyranny.

David Eſpy, *Arthur St. Clair,*
Thomas Hartley, *Fred. A. Muhlenberg,*
Richard M'Alliſter, *John Arndt,*
Anthony Wayne, *James Moore.*
Thomas Fitzſimons,

Section 9th. "The Houſe of Repreſentatives may redreſs grievances."

It is the opinion of this committee, that the General Aſſembly, under reports of the committees of grievances, in ſome inſtances, has exerciſed powers inconſiſtent with the conſtitution.

ALTHOUGH we agree with the report, that the General Aſſembly, under reports of the Committees of Grievances, have in ſome inſtances exerciſed powers inconſiſtent with the conſtitution, yet we diſſent from the report in ſome of the inſtances brought forward, and from the reaſoning upon them. Becauſe ſome of them were very proper objects for the interference of the legiſlature, no adequate remedy being to be had in any other way; and becauſe it ſeems abſurd to ſay, that, "if the complaints of the people are liſtened to by the legiſlature, the laws of the land will be corrupted;" and that the relief would be limited, in any degree, to ſuch of the citizens as reſide in the vicinity of the ſeat of government, and the ſeſſions of the Aſſembly be lengthened to an immoderate degree. The Aſſembly are choſen by the people to do their buſineſs, and they ought to ſit as long as that buſineſs requires. But the inconveniencies that ariſe to the individuals, from a long abſence from their reſpective homes, will always induce them to ſhorten their ſeſſions as much as poſſible, and, from the preſſure of that inconveniency, there is more danger of their being ſhortened too much, than of their being drawn out to an unneceſſary length: It is of no importance, what the word grievance meant, or means, in *England* or elſewhere. It is very well underſtood here; and here, as well as in other countries, there may happen exceſſes and oppreſſive proceedings of the executive power, and of the courts of juſtice. When they do happen, we truſt the legiſlature will interfere, and afford redreſs. But as it ſeems to be intended that all powers ſhould be lodged in the hands of the executive, and, what the committee call, the judicial branch, it is a proper ſtep to remove every thing that lies in the way of its being accompliſhed, and the interference of the legiſlature might be a troubleſome reſtraint upon it. It is however the right of the people to be redreſſed in this way, and it is a ſecurity to them, we hope, they will not part with, nor ſuffer to be explained away.

Arthur St. Clair, *David Eſpy,*
Fred. A. Muhlenberg, *Thomas Hartley,*
John Arndt, *Richard M'Alliſter,*
James Moore, *Anthony Wayne.*

Section 15th. "To the end that laws, before they are enacted, may be more maturely conſidered, and the inconvenience of haſty determinations *as much as poſſible* prevented, all bills of a public nature ſhall be *publiſhed*, and, except *on occaſions of ſudden neceſſity*, ſhall not be paſſed into laws until the next ſeſſion of the General Aſſembly."

Very many bills have been paſſed haſtily, in the ſame ſeſſion, in violation of this ſection.

The poſtponing of bills to another ſitting is at length ſo much diſregarded, that of thirty-nine acts of Aſſembly, which were paſſed during the laſt ſeſſion of the preſent Houſe, thirty-one of them originated within the ſame ſitting: And with reſpect to almoſt all theſe, ſo far from any ſudden neceſſity exiſting for thus haſtily paſſing them, there does not ſeem to be any conſiderable motives for thus precipitating more than two or three of them. If the act for regulating the choice of juſtices of the peace had become immediately *neceſſary*, it was from the *neglect* of the Houſe to take up the buſineſs earlier.

It is the opinion of this committee, that the 15th ſection of the conſtitution, whereby the authority to legiſlate is laid under peculiar reſtraints, has been evaded, and in a great meaſure defeated, by the exerciſe of a power aſſumed by the General Aſſembly to make laws and to alter laws, and to appropriate the lands, goods and money of the commonwealth by reſolve only, which, ſo far from being publiſhed for conſideration, and deferred to the next ſeſſion, is paſſed ſecretly and immediately.

THOUGH we agree that many laws have been brought in and paſſed in the ſame ſeſſion, for which there may not now appear any neceſſity, yet we diſſent from the opinion in the report upon this ſection, "that an important and eſſential reſtraint upon the proceedings of the Aſſembly has been laid aſide:" For the ſection cited does, expreſly, give a power to the Aſſembly to paſs laws in the ſame ſeſſion in which they ſhall be firſt conſidered in the form of bills, on occaſions of ſudden neceſſity. Of that neceſſity the Aſſembly are, and, from the nature of the caſe, muſt be the only judges; and for us to pretend to determine upon it, is arrogating a power we are incompetent to, and, if we were competent, that is not veſted in us by the conſtitution. But when we conſider, of what very little uſe the publication of bills is,—how very few of the people, comparatively, ever ſee them,—that it operates rather to deceive than inform them,—and the heavy expence that attends it, we cannot help wiſhing this article was very materially altered. But—alterations, neceſſary additions, or explanations, can be made by a Convention only.

We diſſent from the ſecond opinion upon this ſection of the conſtitution likewiſe, becauſe we think it goes to reſtraining the Aſſembly from proceeding by reſolve in all caſes.—

The power however to proceed in that manner ſeems to have been, clearly, in the view of the convention, as it is, by the 20th ſection of the conſtitution, made the expreſs duty of the Executive Council to forward the execution of their reſolves. The words are, and they are remarkable, "they are to take care that the laws be duly executed; they are to expedite the execution of ſuch meaſures, as may be reſolved upon by the General Aſſembly." There is, in the ſame ſentence, a plain diſtinction taken betwixt laws and reſolves—indeed, they are contradiſtinguiſhed. The Executive Council are to execute the laws.—They are to expedite the execution of meaſures reſolved upon by the Aſſembly.—The power of proceeding by reſolve is then clearly acknowledged, and the Council have a kind of concurrent power in the execution; or, rather, they are to remove any difficulties that may lie in the way of their execution. But if no directions had been given to the Executive Council, the power of the Aſſembly to proceed in that way might have, well enough, been inferred from the general words of the ninth ſection—"they ſhall have all other powers neceſſary for the legiſlature of a free ſtate or commonwealth."—From the two together there remains not the ſhadow of a doubt. Had this committee been appointed to alter and amend the conſtitution; which they ſeem all along to have thought their duty, we ſhould have readily agreed with them, that this looſe and ſummary method of legiſlating is very inconſiſtent with œconomy and ſafety, and that it ought in moſt caſes to be aboliſhed. It is, however, a part of the conſtitution, and, as ſuch, it is no aſſumed power in the General Aſſembly. Neither were the reſolves that have been detailed by the committee paſſed, as is ſaid in the report, "if not in the face of the law, yet without law." The conſtitution is the law to govern the Aſſembly, and they are conſiſtent with the conſtitution. But this power likewiſe ſtands in the way of the exorbitant and unconſtitutional powers intended for the Executive Council, and in that view it is a ſecurity for the people. It therefore became neceſſary to get rid of it one way or other.

Arthur St. Clair, *James Moore,*
Fred. A. Muhlenberg, *David Eſpy,*
Anthony Wayne, *Thomas Hartley,*
John Arndt, *Richard M'Alliſter.*

Section 20th. "The Preſident, and in his abſence the Vice-Preſident, with the Council, five of whom ſhall be a quorum, ſhall have power to appoint and commiſſionate Judges, Naval-Officers, Judge of the Admiralty, Attorney-General, and *all other officers civil and military* (except ſuch as are choſen by the General Aſſembly, or by the people) agreeable to this frame of government, and the laws that may be made hereafter."

The conſtitution (Sections 2d and 3d) ſtates two great depoſitaries of the authority devolved by the people, through the medium of the convention:—Firſt a ſupreme legiſlative, lodged with the General Aſſembly;—a ſupreme executive, in the hands of a Preſident and Council. All power, therefore, not placed out of its proper hands, belongs to the legiſlative or the executive, according to its nature. But the appointment of officers is an executive prerogative, and belongs to the Council in all caſes, if it be not in expreſs terms veſted in the Aſſembly or in the people;—and all conſtruction and interpretation of paſſages, which may ſeem dubious, ſhall be favourable to the proper branch;—and nothing beyond ſatisfying the words ſhall be intended, in caſe any authority be miſplaced, or put out of its natural hands.

We further ſay, that the words above recited give the nomination of *all officers, civil and military*, to Council, unleſs in the reſerved caſes; that the expreſſion, "except ſuch as are choſen by the General Aſſembly, or by the people," ought to be conſidered as introduced by way of parentheſis, and that it refers to the officers aſſigned to the Aſſembly, or the people, in other ſections of the conſtitution, of whom there are ſeveral; and that the following words, "agreeable to this frame of government, and the laws that may be made hereafter," define the manner in which the appointments of Council ſhall be made. Thus, for example, the Judge of Admiralty is by the conſtitution to be named by the Preſident and Council: But an act of Aſſembly, paſſed on the 8th of *March*, 1780, requires, that his commiſſion be "for ſeven years, in caſe he ſo long behave well." Council, therefore, muſt commiſſionate for ſeven years, agreeably to this law.

It is, therefore, the opinion of this committee, that the power of appointing revenue and other officers, not expreſly aſſigned to the Houſe of Aſſembly, or to the people, by the conſtitution, which has been exerciſed by the General Aſſembly, is a deviation from the conſtitution.

WE diſſent alſo from the opinion and reaſoning of the committee, as adopted by the Council, upon this ſection of the conſtitution.

Firſt, Becauſe it ſeems to us to be more neceſſary that the executive branch ſhould, in the appointment of officers, be ſtrictly confined to thoſe expreſly aſſigned to them, than the legiſlature. The legiſlative body is the proper depoſitory of all power not expreſly placed elſewhere; for there every man in the community is equally repreſented. In the Executive Council that is not the caſe; neither have the people the ſame controul over them. They are permanent, and, notwithſtanding the rotation eſtabliſhed, encroachments can be eaſily reduced to ſyſtem, and a majority to favour them be ever found to exiſt. To the Council is given the appointment of Judges, Naval Officers, Judge of the Admiralty, Attorney-General, and all other officers civil and military, except ſuch as are choſen by the people, agreeable to the frame of government, and the laws hereafter to be made. The appointment to certain offices is alſo given to the Aſſembly. If this paſſage in the conſtitution appeared dark or doubtful, the committee ought to have ſo reported it, and left the explanation to a Convention, who alone have that power. But it was going very much beſide their duty, to obtrude a conſtruction that has the moſt dangerous tendency, and to introduce the *parentheſis*, which is not to be found in the original, to favour that conſtruction. The clauſe ſtands fairly and intelligibly in the conſtitution. They are to appoint Judges, Naval Officers, &c, and all other officers civil and military. This is their general power, and a very extenſive one it is. What follows is a limitation of that general power,—"except ſuch as are choſen by the General Aſſembly, or the people, agreeable to the frame of government, and the laws hereafter to be made." It requires indeed ſome ingenuity to miſtake the ſenſe and deſign of it, and they happily hit upon including a part of it in a parentheſis: But by altering and ſupplying in this manner, it is impoſſible that words can be ſo put together, as that the plaineſt meaning may not be perverted.

The Convention gave to the people, to the Aſſembly, and to the Council, reſpectively, the appointment of certain officers. The creation of other offices that might be found neceſſary, and the appointment to thoſe offices, when created, were left to the laws that were to be made. In the laws, then, creating them, it could be no infringement of the conſtitution to name the officers; becauſe the power of appointing to them is, by the exception above mentioned, taken out of the general powers of the Council and placed nowhere elſe, and every power neceſſary for good government, not placed ſomewhere by the conſtitution, is veſted in the Aſſembly, as the repreſentatives of the people. It was the right of the Aſſembly, then, either by law to appoint thoſe officers, or to empower the Executive Council to appoint them. In either way the conſtitution is ſatisfied—and there are many inſtances both ways. But we ſay, that as an increaſe of power in the hands of an Executive Council, permanent, tho' rotatory, and ſo little reſponſible for the uſe of it as ours, is very dangerous to the community; and that thoſe Aſſemblies which reſerved to themſelves every appointment, where it was reconcileable to the conſtitution, have beſt adhered to its ſpirit, and ſhewed the greateſt regard to the liberties and to the ſafety of the people.

Secondly, Becauſe as we think the Executive Council have no power to appoint to any offices beſides thoſe that are expreſly named in the conſtitution, or given to them by law, if the meaning and conſtruction pointed out by the committee ſhould obtain, the Executive would acquire a very undue influence upon the election of Members of Aſſembly: And we are the more alarmed at it, from reflecting upon another part of the report of this committee, which would give them great influence on their deliberations. In ſhort, it ſeems to be intended entirely to deſtroy the freedom of the Aſſembly, and to throw into the hands of the executive branch the whole power of the ſtate.

Thomas Hartley, *David Eſpy,*
Richard M'Alliſter, *Arthur St. Clair,*
Fred. A. Muhlenberg, *John Arndt.*
James Moore,

Section 20th. "The Preſident and Council are to prepare ſuch buſineſs as ſhall appear to them neceſſary, to lay before the General Aſſembly."

It is the opinion of this committee, that theſe words give a right to the Preſident and Council, and make it their duty, to lay forms of bills before the General Aſſembly. Nevertheleſs, we do not ſuppoſe that the General Aſſembly ought to admit of forms of money bills, prepared by the Preſident and Council.

The proper and peculiar buſineſs of the General Aſſembly is to enact laws; therefore this clauſe of the 20th ſection cannot otherwiſe have any meaning. "Buſineſs got ready beforehand," as this paſſage imports, muſt be interpreted of ſketches of bills; no leſs can be underſtood. To prepare buſineſs then for the General Aſſembly is, we ſay, to frame draughts of bills. Not that the Houſe is bound to adopt theſe draughts. No; they may commit, alter, amend or reject them on reading, at their pleaſure.

Such a practice, if once eſtabliſhed, would tend to diſpatch the legiſlative buſineſs, without leſſening the right of the legiſlature to prepare bills (ſection 9th) and very much ſhorten the ſeſſions of the General Aſſembly, the length of which is ſo juſtly complained of, for the great expence thereby incurred.

The Preſident and Council, on the 5th day of *February*, 1779, and ſome days after, at a conference with the General Aſſembly, propoſed to furniſh the form of a law, or heads of a bill, to the Houſe, under the words of the 20th ſection, which authoriſes the board "to prepare ſuch buſineſs as ſhall appear to them neceſſary, to lay before the General Aſſembly." Theſe heads of a bill the Aſſembly declined to receive.

WE diſſent from the opinion upon this article, becauſe it appears to us to be diametrically oppoſite to the ninth ſection of the conſtitution, whereby the power to prepare bills, and enact them into laws, is expreſly given to the Aſſembly. In the report of the committee it is ſaid, that theſe words "prepare buſineſs,"

give a right to the Preſident and Council, and make it their duty, to lay forms of bills before the General Aſſembly; nevertheleſs (ſay they) "we do not ſuppoſe that the General Aſſembly ought to admit of forms of money bills, prepared by the Preſident and Council." If, under the words prepare buſineſs, the right and duty of the Council to ſend bills to the General Aſſembly can be ſupported, it is hard to account for the diſtinction taken betwixt money bills and thoſe of another nature. But, when money bills are enacted they muſt be attended with taxes; and theſe, how neceſſary ſo ever they may be, are always odious.---Let the Repreſentatives of the people become as odious as may be, no matter; but take care of the Council; bye and bye it will not be ſo neceſſary. When once the people have ſubmitted to the new ſyſtem, the Council can conſider theſe as their right and duty under the words, when ever they pleaſe. It would ſeem as if this had been the manner in which they reaſoned when they made up their opinion. The proper and peculiar buſineſs of the Aſſembly is to enact laws---to prepare buſineſs is to frame draughts of bills, they ſay, "not that the Aſſembly is bound to receive theſe draughts---No! they may commit, alter or amend them on the reading." Here then, the right and duty of the Executive Council to originate the laws of the ſtate is aſſerted unequivocally, and the duty of the legiſlature is pointed out in a manner that cannot be miſtaken. It is their proper and peculiar duty to enact laws. But if it be the right and duty of the Executive Council to prepare bills, which is, in other words, to originate laws, it muſt alſo be the duty of the Aſſembly to receive them, and this they were perfectly ſenſible of, and have endeavoured to explain it away. But their "No! they may commit, alter or amend them," will impoſe upon no body but thoſe who are willing to be impoſed upon,---- they cannot be caſt aſide, altered or amended on the reading, unleſs they have that reading----the Aſſembly are therefore bound to receive them. Thus, by endeavouring to give a meaning to two words, which, from the revolution to the preſent time, (one inſtance alone excepted) has been perfectly well underſtood and acted under, the firſt formation of all laws, money bills excepted, is to be given to the Executive Council, and alſo a negative upon the laws before debate. For, this doctrine once eſtabliſhed, it would ſoon be an open and avowed claim that no law ſhould paſs that had not originated with the Council; and if the Aſſembly attempted it, they would not be executed; and they might be told, Gentlemen, You have tranſgreſſed the bounds aſſigned you by the conſtitution—you are to enact laws, but they muſt originate with us. This law, or theſe laws, we did not originate—it was buſineſs that was not prepared by us, and that you of yourſelves could not take up. They want that eſſential quality—a pre-requiſite that cannot be diſpenſed with—they are not laws, and cannot be executed. The power endeavoured to be given to the executive, *to wit*, The appointment to all offices, the originating all laws, and a negative before debate, by the ſtrange explanation given to theſe two clauſes of the 20th ſection of the conſtitution, we conſider as of the moſt alarming and dangerous tendency, and if acceded to, ſubverſive of the liberties of the people; but we truſt they are too much enlightened, and value them too much, to ſuffer themſelves to be deprived of them by any arts, much leſs by a forced explanation of words and ſentences. It is however, a duty we owe to them, to warn them againſt the attempt, and to juſtify ourſelves to the preſent generation and to poſterity, to proteſt againſt it in the moſt ſolemn manner; and we have the greater reaſon to be alarmed, as we find an attempt of a ſimilar nature was made by the Executive Council, at a time when the gentleman who drew up the report was Vice-Preſident, and warmly was conteſted with the Aſſembly; doubtleſs for the purpoſe of eſtabliſhing a precedent—but the Aſſembly ſpurned at it with indignation, and aſſerted their rights, with which the happineſs of the people was ſo intimately connected.

Arthur St. Clair, *Thomas Hartley,*
John Arndt, *Richard M'Alliſter,*
Fred. A. Muhlenberg, *Anthony Wayne,*
David Eſpy, *Thomas Fitzſimons.*
James Moore,

Section 20th. "The Preſident and Council may draw upon the treaſurer, for ſuch ſums, as ſhall be appropriated by the Houſe."

It is the opinion of this committee, that all appropriations of public money ought to be by laws paſſed by the General Aſſembly, and that all draughts on the treaſurer of the ſtate ought to be made by the Preſident and Council.

The clauſe of ſection 20th, laſt cited, is a limitation upon the proper authority of the executive branch to draw the public money. It is thereby confined to ſuch money as ſhall be appropriated. The violations of this right of the Council to draw the public money have been numerous. Draughts have been made by the Houſe, by the auditors of public accounts, by the Juſtices of the Supreme Court, and ſome others. The inſtance following is remarkable.

"*Reſolved*, That the Treaſurers of the ſeveral counties be empowered and directed to draw on the State Treaſurer, for monies ſufficient to diſcharge the allowances made to wounded ſoldiers, and to the widows and orphans of officers killed in the public ſervice; the ſame to be paid out of the *one per centum* impoſt, by the act of *December* 1780." Minutes of 23d *September*, 1783.

ALTHOUGH we agree that appropriations of public money ought, in general, to be made by laws---yet we diffent from the opinion, that all draughts upon the Treaſurer ought to be made by the Preſident and Council. From the reaſoning adduced in the report, in ſupport of that opinion, we conceive an unneceſſary power is intended to be lodged in the Executive Council, and, when this is taken into view with ſome other parts of the report, we think it a moſt dangerous power. The report expreſſes, that "the clauſe of the ſection cited is a limitation of the proper authority of Council to draw the public money. It is thereby confined" to ſuch money as ſhall be appropriated."—The proper authority of the Executive Branch to draw for public money muſt be found in the Conſtitution.—But we find no authority given to them, for that purpoſe, in any part of it, except in the words of the 20th ſection—"They may draw for ſuch ſums as ſhall be appropriated by the Houſe." The powers of the Houſe, and of the Council, over money are clearly contained in them, or to be deduced from them. For ſuch ſums of money as are appropriated, that is, ſet apart for particular purpoſes, the Council are to draw on the Treaſurer.—This is the ſole power, over money, given to them by the conſtitution, it is therefore their proper power; and it is abſurd to ſay that the power itſelf is a limitation of the proper power. Such ſums as are not appropriated, or ſet apart for particular purpoſes, remain in the Treaſury, ſubject to the orders of the Houſe. The Convention were the judges what powers were proper to be entruſted with each Branch of Government. To the Council they gave the power to draw for money appropriated only; and to extend that power by conſtruction is to alter the conſtitution.—But, to alter the conſtitution, is the ſole excluſive buſineſs of a Convention called for the purpoſe, and ſo could not fall within the duty of the Committee: This ought, therefore, to have made no part of their report.—It was neceſſary, however, to the completion of the new ſyſtem of Government, which would have been very inefficient without it: And as the introduction of that ſyſtem ſeems to have been a favorite object, we now draw the ſcattered parts of it, that lie up and down in the report, into one view, that the people may judge whether there is really that danger to be apprehended from it we have held forth, or that we have frightened ourſelves with a phantom of our own raiſing.———

The Executive Council are to appoint to all offices, except the Treaſurer of the State, a Regiſter of Wills, a Recorder of Deeds, the Sergeant at Arms and a Doorkeeper—Theſe are left to the Aſſembly.

The Executive Council are to originate all the laws. The Aſſembly may indeed commit, alter or amend them, but they muſt have nothing to do with them in the firſt inſtances—To prepare buſineſs is to form draughts of bills—but to form draughts of bills is the right and duty of the Executive Council; therefore, the Aſſembly can have nothing to do with them, until they have been formed by the Council.———

The Aſſembly, becauſe in ſome inſtances they may have gone too far, are not to be allowed to redreſs grievances. The judicial branch, as it is called, is the proper body for that purpoſe.—They would keep the laws pure, which the Aſſembly would corrupt, and do the buſineſs at leſs expence. The oppreſſions of executive and judicial authority, however, are the great grievances of every country.—It cannot be very conſiſtent with liberty, or ſafety, to throw down that ſecurity, that fence againſt the abuſe of power.———

The Executive Council are, by the laſt mentioned ſection, to have the command of all the money alſo—Even their own wages, the Houſe of Aſſembly—the legiſlature of *Pennſylvania*, will have to apply for to the Council, and if they have happened to be troubleſome or refractory, may be told to call again.———

If the committee really found this ſyſtem to be the conſtitution of *Pennſylvania*, it is aſtoniſhing, that it has not been diſcovered earlier; for the adminiſtration of it has been, at times, in hands that were fond enough of power.—It is more aſtoniſhing ſtill that they ſhould have beſtowed ſo many encomiums upon it. Can it be believed that any reaſonable creature will think it the great bulwark of equal liberty? Is it not what we have truly repreſented it? the moſt complete ſyſtem of ariſtocratic tyranny that has appeared in the world.—But in order to make it go down, it was neceſſary to ſpeak favorably of it, and gull the people, that they might the more eaſily receive it. In other countries the government has been drawn from the popular to the ariſtocratic form by ſlow and almoſt inſenſible changes.—The novelty of attempting to introduce an ariſtocracy at one ſtroke of a pen, and to perſuade the people they ought always to have been ſo governed—that it was the conſtitution they had choſen for themſelves—was left for the firſt Council of Cenſors of *Pennſylvania*. But we truſt the people are too enlightened to be ſo eaſily impoſed upon, and too high ſpirited, and too fond of liberty, to ſuffer their repreſentatives to be degraded to the mere regiſters of the mandates of their haughty and imperious maſters. At any rate, foreſeeing the evils attendant on this new ſyſtem, to diſcharge the duty we owe to the people and ourſelves, we do again moſt ſolemnly proteſt againſt it.———

When we conſider, however, that on the committee who formed the report there were two gentlemen who had been Vice-Preſidents, and two who had been members of the Executive Council, it is not to be much wondered at that a deſire to encreaſe its powers ſhould have appeared. Yet we do them the juſtice to believe, that they had not all conſidered the extent of the plan, nor ſeen the fatal conſequences that would inevitably follow from its being adopted.———

Arthur St. Clair, *Thomas Fitzſimons,*
Fred. A. Muhlenberg, *David Eſpy,*
James Moore, *Thomas Hartley,*
Anthony Wayne, *Richard M'Alliſter.*
John Arndt,

BALTIMORE, *September* 24

The Nonſuch, Captain Cauldfield, left London the 23d July, and arrived here laſt Wedneſday.

The ſhip Iris, Captain Cole, was to leave London, for this port, in about 15 days after the Nonſuch.

The Liberty, Captain Outram, from Virginia, and Jeſmond, Captain Robinſon, from North Carolina, are arrived at Dover.

The ſhip Unicorn, Captain Dean, from this port, is arrived at Liverpool.

Captain Lemuel Snow, in the brig Dogger-Bank, arrived here from Amſterdam, informs us, that on the 11th July, off Beachy Head, in the Britiſh Channel, he ſpoke the ſhip Nancy, Captain John Bright, (belonging to Philadelphia) from Virginia, bound to London; all well on board.

By the following certificate, it will appear that our beloved General, in his retreat from the glories of the field, ſtill continues to encourage, and pay attention to ſuch undertakings as are pregnant with great utility to his country.---Mr. James Rumſey (late of this town) having been happy in a mechanic diſcovery, could not, for ſome time, impreſs his fellow-citizens with an idea of its practicability; but, by a laudable perſeverance, he hath at length obtained, not only the approbation of General Waſhington, but of General Wood, the Hon. Mr. Randolph, of the Council, Dr. Craig, and ſeveral members of the legiſlature of Virginia, and other gentlemen of character and diſtinction; ſo that he may now expect a reward from his grateful country, that may, in ſome meaſure, compenſate him for his ingenuity.

CERTIFICATE.

I HAVE ſeen the model of Mr. Rumſey's boats, conſtructed to work againſt ſtream, examined the powers upon which it acts, been eye-witneſs to an actual experiment, in running water of ſome rapidity, and give it as my opinion (although I had little faith before) that he has diſcovered the art of working boats by mechaniſm, and ſmall manual aſſiſtance, againſt rapid currents; that the diſcovery is of vaſt importance; may be of the greateſt uſefulneſs in our inland navigation; and, if it ſucceeds, of which I have no doubt, that the value of it is greatly enhanced by the ſimplicity of the works; which, when ſeen and explained to, may be executed by the moſt common mechanic.

Given under my hand, at the town of Bath, county of Berkeley, in the ſtate of Virginia, this 7th of September, 1784.

GEORGE WASHINGTON.

PHILADELPHIA, *September* 29.

Monday laſt arrived here the ſhip Harmony, Capt. Willet, in 6 weeks from London. Her advices are of the ſame date as thoſe received by the ſhip Triumph, lately arrived at New-York.

In the Harmony came paſſengers, Joſeph Reed, Eſquire, Mr. Andrew Bayard, Mr. Ferguſon, Mr. Aſton, and Mr. Poultney, of this city; Mrs. Fawkner and ſon, Miſs Hartley, Mr. Sanſom, and Mr. Price, of London.

Extract of a letter from a gentleman in Kentucky, dated Auguſt 15.

"The depredations of the Indians are not yet at an end in this country; three days ago as Walker Daniel, Eſq; the State Attorney, in this diſtrict, Mr. Keightly of Philadelphia, and a Mr. Johnſton, were going from the Falls of Ohio to the Salt-Works, about ſix miles from the works they were attacked by a party of about ſeven Indians, when Daniel and Keightly were ſhot dead on the ſpot, and Johnſton wounded acroſs his breaſt with a ball, though fortunately effected his eſcape. The dead bodies were found ſcalped, and ſtabbed in a very barbarous manner, but the Indians did not plunder them of their money or clothes."

By a letter from Dublin, of the 29th of July, received by a gentleman in this city, we have the following very important intelligence, viz. That on the 27th of the ſame month the volunteers of the city and county of Dublin (on the ſignal of a rocket and the firing of ſome great guns) aſſembled, and in a moſt furious manner attacked the regular troops, whom they drove from the caſtle and barracks, which they took poſſeſſion of, together with every other fortification in and round the city. That the ſame had been effected at Cork, Limerick, Galway, and ſeveral other parts of the kingdom. That a number of the volunteers and regulars had loſt their lives in the different attacks, among whom is named a Lieutenant in the Dublin Rangers, uncle of the gentleman who received the letter giving this information.

Saturday laſt the Council of Cenſors, having finiſhed the buſineſs committed to them, adjourned till the 11th day of October next, the laſt poſſible day of the exiſtence of this Body. This adjournment was made to give official power to their Preſident, Secretary, and a committee appointed to ſuperintend the printing and diſtribution of their acts and minutes.

We hear that the Council of Cenſors, before they roſe, directed their Preſident to ſend copies of all their proceedings, by different conveyances, to his Excellency BENJAMIN FRANKLIN, L. L. D. Miniſter Plenipotentiary of the United States of America to his Moſt Chriſtian Majeſty, Preſident of the Convention in 1776.

By authority, it is publiſhed, that the petitioners for a new Convention to reviſe the conſtitution, in conſequence of the appeal made laſt February by the then majority of the Council of Cenſors to the people, were only 240 freemen, reſiding in and near to Carliſle, in Cumberland county; whereas the remonſtrants, and others of various counties, oppoſing the call of a Convention, were 18559.

Wedneſday laſt the artillery company under Capt. Douglaſs, and one company of the infantry, marched from their encampment for Lancaſter, on their route to the weſtern poſts.

Captain Yates, who arrived on Tueſday laſt, in the brig Friendſhip, from Liverpool, ſpoke with the Anna, Capt. Coppleſtone, ſix days out from this port, bound to Briſtol, all well.

The Hope, Livingſton, from Virginia, and the Concord, Gibbs, from Philadelphia, are arrived at Briſtol; and the Meredith, Simmons, from Carolina, at Dublin.

The North-Briton, Hudſon, from London to New-York, foundered at ſea, the Captain and crew ſaved.

The Adventure, Cook, from Georgia; the Bell, Evers, the Garrick, Turner, the Hero, Young, and the Nancy, Brice, from Virginia, are arrived at Graveſend. The Buckſkin, Harryman, from North-Carolina, at Cork. The Antelope, Tyler, from New-York, at Oporto. The Union, Guleker, and the Charming Sally, Skie, from New-England, at Cadiz. The Keyſer and Koopman, Thomas from Philadelphia, is arrived in the Texel.

On the 26th of June arrived at London, the ſhip Proſperity, Capt. Puller, from James river, with tobacco.

The Circuit Courts are to be held this fall as follow, viz.---- At Cheſter, for the county of Cheſter, on the 18th of October; at Eaſton, for the county of Northampton, on the 26th of October; at Reading, for the county of Berks, on the 1ſt of November; and at Sunbury, for the county of Northumberland, on the 8th of November.

In the Commerce, Capt. Truxton, arrived a box of valuable books for Dickinſon College, at Carliſle, a preſent from Granville Sharp, Eſq; of London, a gentleman eminent for his learning, and warm attachment to the happineſs of mankind, without preference to country, ſect or colour.

*** The Members of the Society for the relief of poor and diſtreſſed Maſters of Ships, their Widows and Children, are deſired to attend a Quarterly Meeting at the Free Maſon's Lodge, in Lodge-Alley, on Monday, the 5th of October next, at Six o' Clock in the Evening.

*** The SUBSCRIBERS to the NEW SOCIETY FOR ENSURING HOUSES FROM LOSS BY FIRE, are deſired to meet *this Evening* at 6 o'clock preciſely, at the *new City Coffee-Houſe*, in Front-ſtreet, near the Drawbridge, to form a plan for the eſtabliſhment of the ſaid Society, and to elect Officers for the management thereof. Sept 29.

PORT of PHILADELPHIA.

WARDENS OFFICE, September 28, 1784.

NOTICE is hereby given, that Elijah Warrington has taken up an ANCHOR in the Bay, and delivered the ſame to this Board the 27th inſtant, weighing 8 C. 2 qrs. 24 lb.

SAMUEL SHOBER, Druggiſt,

HATH removed from his ſtore in Third-ſtreet, to the houſe lately occupied by Meſſrs. Richards and Dunn, in Market-ſtreet, below Second-ſtreet, where he continues to ſell on the loweſt terms for caſh, ſhort credit, Morris's notes, Pennſylvania and Jerſey ſtate money, or any other public ſecurity, and country produce, a very large and general aſſortment of Medicines, Surgeons Inſtruments and Painters colours, juſt imported in the ſhip Commerce, Captain Truxton, and brig Nymph, Captain Bunner, from London.

To the FREEMEN of the County and Borough of CHESTER.

GENTLEMEN,

PERMIT me to return you my moſt cordial thanks for your effective ſupport at the laſt general election; and at the ſame time requeſt your intereſt at the enſuing election, which, with paſt favors, ſhall ever be held in grateful remembrance, by your friend and attentive ſervant, WILLIAM GIBBONS.

Cheſter, September 27, 1784. §

BY virtue of a writ of Venditioni Exponas to me directed, will be expoſed to Public SALE, at the Coffee Houſe, in the city of Philadelphia, on FRIDAY, the 8th of October next, at 6 o'clock in the evening, a certain FRAME MESSUAGE, a good FRAME BARN, and LOT or PIECE of GROUND, ſituate, lying and being on the ſouth ſide of Love Lane, in Moyamenſing township, and county of Philadelphia, being 61 feet front on ſaid lane, and 230 feet in depth (or thereabouts) bounded northwardly by the aforeſaid lane, and eaſt, weſt and ſouth by land of Thomas Willing, Eſquire, and about one quarter of a mile from South-ſtreet; very convenient for a gentleman's country ſeat, or for market.---

And on SATURDAY, the 9th of October, at 10 o'clock in the forenoon, will be SOLD on the premiſes, one acre and an half of potatoes; alſo, all the houſhold goods, ſtock, &c. conſiſting of milch cows, horſes, a riding chair, clock, a ten plate ſtove, hay, a cart and geers, a plough, harrow, &c. Taken in execution as the property of George Zaner, by

Sept. 21, 1784. THOMAS PROCTER, Sheriff.

At the CITY VENDUE STORE,

At TEN o'CLOCK,

On FRIDAY next,

Will begin the SALE of

An assortment of MERCHANDIZE.

ARTHUR St. CLAIR, & Co. Auctioneers.

To be SOLD at private Sale,

A Valuable LOT of GROUND, containing seven acres and an half, situated in Germantown, near the market place, on which are erected, a good two story stone house, with four rooms on each floor, a currying-shop, beam-house, bark house, spring-house and waggon-house (all of stone) also a good frame barn and stables, likewise a well finished tan-yard, consisting of 32 vats, in good order, every thing being very convenient for carrying on that business in the most extensive manner; there is also on the premises, a young orchard of excellent fruit, containing about five acres. Any desirous, may view the premises, by applying at said place, to GRIFFITH JONES.

To be SOLD at public Vendue,

On the 12th day of October next, at the house of Hugh Clayton, in Haddonfield,

ONE LOT of LAND, in said town, containing 1 acre and 39 perches, now in the tenure of James Clement; on which are a good two story brick house, frame kitchen, and stable sufficient to contain two horses and several loads of hay; there is also on the lot a small orchard.

Likewise one Lot of good LAND about a mile from Haddonfield, containing 30 acres, now in the tenure of Joseph Lippencut, on which is a small orchard and other fruit-trees.

Also 4 acres of good MEADOW, on Cooper's creek, adjoining meadow of Thomas Redman's.

All late the property of HANNAH MORGAN, deceased. The vendue to begin at ten o'clock on said day, where attendance will be given, and the conditions made known, at the time and place aforesaid, by BENJAMIN MORGAN, and EDMUND HOLLINSHEAD, Executors.

Sept. 25. §

FIFTY POUNDS Reward.

LAST night the subscriber's store was broke open, and an iron chest taken out, and carried near to Potters Field, where it was broke open, and the following taken out, viz. 896 dollars in notes, signed by David Rittenhouse, Esq; payable at the state treasury the first of July last, of the following denominations. No. 1186 one sheet containing fifty-three dollars.---Nos. 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, and 4 6, each sheet containing fifty-three dollars;---421, part of a sheet, one bill of three dollars, and one of two dollars; the numbers of the other 96 are not remembered. They also took about 150 dollars in gold, silver and the Honorable Financier's notes

Out of sundry glass cases they took the following jewellery articles; one pair of ladies fashionable oval set shoe buckles, with gold edges, 6 pair of square and oval ditto, 6 pair of fashionable set knee buckles, 10 elegant set stock buckles, one elegant gold locket, with a waved garnet set edge, one ditto plain garnet edge, one ditto with pearl set edge, several plain gold lockets, 3 twist garnet gold rings, and sundry other articles not recollected.

The above reward will be given for the goods and thief, or a generous proportion for either. Jewellers and others are desired to be careful to detect the above goods, if offered for sale. And all persons are forewarned not to take the treasury notes, as payment is stopped. If returned, Five Pounds reward will be given, and no questions asked. WILLIAM POYNTELL,

Sept. 18, 1784. Second-street, near the Court-house.

SIX DOLLARS Reward.

RUN AWAY on the 19th instant, from the subscriber, living in the township of Solsberry, county of Bucks and state of Pennsylvania, an Irish servant MAN, named EDWARD DOUD, about 5 feet 6 inches high, well set, yellow hair, cut short, pitted with the small pox, and some freckled, had on when he went away, a new felt hat, blue coat, striped waistcoat, double breasted light coloured corduroy breeches, white stockings, half worn shoes. Said servant was brought up a hostler, and is very active in riding horses. Whoever takes up and secures said servant so that his master may have him again, shall have the above reward, with reasonable charges, paid by

Sept. 25, 1784. ¶ JOHN MERICK.

Baltimore, September 17, 1784.

FIFTEEN POUNDS Reward.

RUN away, last night, from the subscribers, living in Baltimore-town, the two following indented Irish servant men, viz. MICHAEL RYAN about 20 years old, and about 5 feet 6 inches high, speaks in the Irish dialect, two of his toes, on each foot, grow together, nearly to the middle joint, has brown hair, and is a shoemaker by trade; had on and took with him, an old black great coat, brown straight-bodied ditto, a fustian jacket, nankeen overalls, a white shirt, one check ditto, a pair of white thread stockings, old felt hat, and two silk handkerchiefs. PATRICK REYNOLDS, about 19 or 20 years of age, 5 feet 5 or 6 inches high, strong and clumsy built, has much of the brogue, stammers pretty much, especially when examined, has light coloured hair, and is pitted with the small-pox; had on and took with him, an old light coloured cloth coat, old felt hat, coarse shirt and trowsers. These runaways being very artful fellows, may have provided themselves with other clothes. Ryan writes a good hand, and it is likely may forge passes for both, to facilitate their escape. Whoever takes up and secures the said servants, so that their masters may get them again, shall have Three Pounds, if taken 15 miles from home; Six Pounds if 30 miles; Ten Pounds, if 50 miles; and the above reward, if 100 miles from home; or in proportion for either of them, with reasonable charges, if brought home, paid by FRANCIS DAWES,

¶ JAMES BRYSON.

To the PUBLIC.

WHEREAS it has been reported for some time past that the subscriber, Nurseryman, was dead, which may be a great injury to him in his business, and also some disadvantage to the public; this therefore may inform his customers and the public in general, that he is yet in being, and able to furnish them with a variety of fruit trees of the best kind. Any person who will favor him with their custom, may depend on having such sorts as he by experience knows to be the best, having a large orchard of apples, pears and plums, and find there is like to be more caterpillars the ensuing year than usual, if not destroyed; their eggs may be seen like lumps of gum on small twigs, which you may break off and burn before the leaves are out.

The time of planting is from the first of November, while the ground is open from frost, and as soon in the spring as the frost will permit, until the leaves are out.

¶ RUDOLPH HAINS.

Southwark Vendue Store.

TO-MORROW MORNING,

At Nine o'Clock, will commence the SALE of a very large and neat Assortment of

MERCHANDIZE.

In the various branches of Woolen and Linen Drapery, Millinery, Ironmongery, Ship Chandlery and Groceries.

N. B. The stated days of sale are MONDAY and THURSDAY, in every week.

JOHN MEASE, Auctioneer.

To be SOLD by public Vendue,

At Port Penn, New-Castle county, in Delaware state, on Monday, the 4th day of October next, for ready money,

BETWEEN 20 and 30 valuable lots in said town. Also for part ready money, a very valuable plantation, about 6 miles from said place, and adjoining the village of St. George's, containing 300 acres, 150 are clear, and of good soil for grain, the remainder woodland well timbered, nearly one half of the cleared land is bounded by St. George's creek, which serves the purpose of a fence for near a mile. On said farm there are a good frame house, with two rooms on the lower, and three on the upper floors, with a kitchen adjoining, a new barn, two new stables and hay loft, with other out-houses; also a good appple and peach orchards. Attendance will be given at the place and day of sale, by § JOHN STEWART.

WATCHMEN WANTED.

THE Wardens of the City intending to double the Nightly Watch during the Winter season, a Number of able bodied sober Men will be wanted. Persons of good Character, who are willing to engage, may apply to Mr. CARLISLE, Constable of the Night.

September 20, 1784.

Gloucester county, September 20, 1784.

WAS committed to the goal of said county on the 7th inst. a WOMAN, on suspicion of being a run-away; she is about 17 or 18 years of age, middle sized, dark hair and eyes, smooth faced; has on, a green skirt and red and white spotted calicoe short gown, and calls herself Jane M'Kee. Her master, if any she has, is desired to come, pay charges, and take her away in ten days from the date hereof, or she will be sold for fees and expences, by NICHOLAS NAILOR, Goaler.

N. B. She came lately from Belfast, in Ireland. §

FOUR POUNDS Reward.

RAN away from the subscriber, living at Duck-creek, in Kent county, on Delaware, a likely young Negroe fellow, named Charles, about five feet four inches high, very active and sprightly, loves liquor, has a broad nose, pitted with the small-pox, is bow-legged, chews tobacco; had on and took with him, a fine deep blue cloth coat, much worn, blue cloth trowsers, a new wool hat bound with tinsel lace, an old loose coat, and different other working clothes; also took a grey horse, fourteen hands and an half high, about six or seven years old, trots, and paces a small travel. Said Negroe will tell a plausible tale, and will endeavour to pass for a free man. Whoever secures him and the horse, so as the subscriber may get them again, shall have the above reward, and reasonable charges, paid by

Duck-creek, Aug 30. ¶ AQUILLA ATTIX.

THE Militia of the County of Philadelphia are hereby notified, That they are to meet and exercise under their respective Officers on the following Days, viz.

In Companies, on the 4th and 11th of October,
First Battalion, on the 18th October,
Second Ditto, on the 19th Ditto,
Third Ditto, on the 20th Ditto,
Fourth Ditto, on the 21st Ditto,
Fifth Ditto, on the 22d Ditto,
Sixth Ditto, on the 25th Ditto,
Seventh Ditto, on the 26th Ditto.

The Troop of Horse will take Notice to meet the Fifth Battalion, commanded by Colonel Jones, on Friday, the 22d Day of October, at the Place of Rendezvouz, near Merion Meeting-House, on Lancaster Road. WILLIAM COATS, Lieut. of the County of Philadelphia.

To be SOLD by public Vendue,

At the COFFEE-HOUSE, on WEDNESDAY, the 20th of October next, at 12 o'clock at noon,

A TWO story BRICK DWELLING HOUSE, situate on the east side of Second-street, a little below the bridge. The lot is 20 feet front and extends to Dock street, on which front is erected a large two story frame building, now occupied as a brass-founder's shop; the whole in the tenure of Richard Skelhorne, at the yearly rent of One Hundred Pounds and the taxes. The premises are subject to a groundrent of thirteen and a half Spanish Pistoles per annum for ever. Three Hundred and Fifty Pounds must be paid on executing the deed, the remainder in three yearly payments, with interest from the day of sale, and approved security if required. Any information relative to the above described house and lot may be had of HENRY LISLE.

Also to be SOLD at private sale, twenty acres of very good land, four of which are meadow, lying in the Manor of Moreland, about 14 miles from the city, late part of the estate of William Settleton deceased, and near the intersection of four public roads; most part of this land is under post and rail fence. For further particulars, enquire of JOHN SHEARMAN, near the premises. ¶ Philad. Sept. 14. 1782.

To the Freeholders and others, ELECTORS for the City and County of PHILADELPHIA,

GENTLEMEN,

MY thanks are due to you for your votes and interest at the last General Election, for the Coroner's Office, a continuance of your favors at the ensuing election will further oblige,

Gentlemen,

Your friend and humble servant,

† JOSEPH RUSH.

TO BE SOLD,

On Wednesday, the 13th of October next, by way of public auction, if not disposed of by private sale before that day,

THAT most valuable Plantation or Tract of Land, containing 228 acres, one half part thereof is arable, the remainder woodland, well stored with timber, situate in Dragon Neck, Red-lion Hundred, and county of New-Castle, on Delaware; this tract of land exceeds any in the neighbourhood in producing good crops of all sorts of grain; the situation agreeable and healthy, and within two miles of three convenient landings, and one mile distant from a good merchant mill; there is on the premises a good dwelling-house, kitchen, with other out-houses, a large frame barn, a well of good water, an apple and peach orchard. The above described premises being the property of Captain William Rankin, late of New-Castle county, deceased. Conditions of sale will be made known, by

Sept. 16, 1784. ¶ ISAAC CANNON.

ALL KINDS OF

Engraving & Seal-cutting,

Done in the newest and neatest FASHIONS, by

JAMES TRENCHARD,

ENGRAVER, the North Side of SPRUCE-STREET, between SECOND and THIRD-STREETS.

Lancaster county, Hanover, Sept. 8. 1784.

WHEREAS we, the subscribers, have been appointed Auditors by the Court of Common Pleas of Lancaster county, in a certain attachment commenced by William M'Cullugh, plaintiff, against William Clark, defendant: NOTICE is hereby given, That we shall meet at the house of MATTHIAS HENNING, in Jones's-Town, on SATURDAY, the second day of October next, to audit the accounts of the defendant's creditors, and settle their shares of the defendant's estate, real and personal, when the several creditors of the said William Clark are required to appear before us with their several accounts and demands, and the necessary vouchers, in order that their several balances be duly ascertained.

ABRAHAM LATSHA,
MATTHIAS HENNING, } Auditors.
GEORGE DOLLINGER,

WILLIAM PINCHIN,

GOLD-SMITH and JEWELLER,

In Front-street, opposite Gray's Alley, is just returned from Europe, with a neat and elegant assortment of Gold, Silver, Jewellery and plated Ware, which he will sell at the lowest price for cash ----among which are,

SILVER dish stands, bottle coasters, double bellied cups, sugar dishes, butter and cream boats, funnels and stands, silver watches, pierced and solid salts with glasses, soup and butter ladles, table, tea and other spoons, spring sugar tongs, mens, womens and childrens buckles of the newest fashion, coat, waistcoat and silver buttons, knee and stock buckles with gold edges, fancy and plain hair-pins, tooth-picks, cases and smelling bottles, fancy gold-rings, with hair, stone and plain ditto, gold seals, cornelian sleeve-buttons, sett ditto, ladies and gentlemens watch-chains, plated candlesticks, ditto snuffers and stands, ditto salts pierced, ditto shoe, knee and stock-buckles and spurs, with many other things too tedious to mention.

N. B. Said Pinchin makes all kinds of gold, silver and jewellery ware in the neatest and newest fashions. The highest price given for old gold and silver.

To be LEASED for a Term of Years,

A NUMBER of LOTS, in a public and improving part of this city, fronting on Fourth-street, a little below Chesnut-street, and opposite the Friends meeting-house.

Likewise, sundry improved FARMS, lying on Fishing Creek, near the north-east branch of the river Susquehanna, in the county of Northumberland; with a number of other adjoining TRACTS, unimproved, to be let on improving leases.

Also to be SOLD,

Twenty-five acres of banked MARSH, on Oldman's Creek, in Gloucester county, state of New-Jersey.

Two undivided fifth parts of a PLANTATION of 150 acres, in Derry township, Lancaster county, one mile from Campbell's-Town, and near Little Swetara, with the improvements thereon; now in the tenure of Conrad Wilson.

And also, an improved patented FARM of 220 acres, situate in Buffaloe Valley, on the west branch of the Susquehanna, but 10 miles from Sunbury, in the county of Northumberland, one half of which is cleared, and buildings erected thereon; now in the tenure of Charles Grogan.

For terms and price, apply to the subscribers, in Front, near Chesnut-street.

c 6 w WILLIAM and JOHN SITGREAVES.

Gloucester county, Sept. 20. 1784.

WAS committed to the goal of said county on the 6th of August last, a Negroe Fellow, who calls himself REUBEN, and says he run away last fall from Mr. John White, in Suffolk town, Cæcil county Virginia. His master is desired to come and take him away in three weeks from the date hereof, and pay charges, or he will be sold for the same, by

§ NICHOLAS NAILOR, Gosler.

TO BE SOLD,

A VALUABLE PLANTATION, and possession given the 25th of March next, consisting of 200 acres of land, 40 acres of which is well improved meadow, and ten acres more may be made at an easy expence, about 70 acres of upland cleared and in tillage, the remainder woodland, situated in New-Castle county, in the Delaware state, two miles from Wilmington, and three from New-Castle, and on the main road leading from one to the other; the situation of this place is pleasant and healthy, and being in the neighbourhood of Wilmington and New Castle, where there is a good and ready market, must also be profitable; the improvements are a new farm house, a good spring-house convenient thereto, and barn, all under good fence. For terms, enquire of WILLIAM BEDFORD, in New-Castle. Sept. 3. ¶

To be SOLD by the Subscriber,

A SMALL but valuable PLANTATION, situate in Ridley, on the great road from Chester to Darby, containing upwards of 28 acres; there is on the premises a good log house, three rooms on a floor, newly covered, at which is kept a ferry across Darby-creek to Tinicum island, the nearest and best road from Philadelphia to Chester; the fence is in good repair, with a small orchard, and several acres of meadow may be made; as it has a fine front on the main road, with an excellent prospect of the river Delaware, &c. it would suit a gentleman to erect an elegant country seat, 11 miles from Philadelphia. For terms apply to the subscriber, nearly adjacent.

¶ SKETCHLEY MORTON.

N. B. If not sold before, it will be exposed to public sale on the premises, the 2d of October, at 3 o'clock, P. M.

To be SOLD by private Sale,

A PLANTATION, containing 108 acres, situate in Colebrookdale township, Berks county, not far from the old furnace. The improvements on the said place are two dwelling-houses, barn and stabling, a pump before the door, a good orchard, sufficient of watered meadows, and more can be made. Persons inclining to purchase said place, are desired to apply at the subscribers, who can give a good title.

WILLIAM or CHRISTIAN BUTZ,

§ at Mount Pleasant furnace.

Lower Smithfield, August 10, 1784.

TAKEN up by Richard Filbery, and brought to the house of the subscriber, Two stray CREATURES, the one a mouse coloured gelding, 14 hands high, 9 years old, paces and trots, a small star in the forehead; the other a black mare, about 8 years old, trots and paces, and a large star in her forehead, and nearly the same height of the horse. The owner or owners of the above described creatures, are desired to come, prove property, pay charges, and take them away.

¶ JAMES LOGAN, Innholder.

PHILADELPHIA: Printed by HALL and SELLERS, at the NEW-PRINTING-OFFICE, near the MARKET.